

From: A.J. Kirby Co.
To: Microsoft ATR
Date: 11/17/01 6:06pm
Subject: Microsoft settlement.

To whom it may concern:

Regarding the Microsoft settlement:

I am a consumer and a very small voice in this matter. My opinion is not based on extensive technical knowledge. Experience is all I have and my experience is that Microsoft products are mediocre. They are the standard for most computer users but not the best technology. I have heard them described as "just good enough". Their ubiquity insures their longevity. A monopoly that has been found to act in an illegal manner is in charge here and not the marketplace. The DOJ settlement will do nothing to correct this situation in my opinion.

Over the years I have watched many software companies loose ground to Microsoft. Independent reviews of their products place them ahead of Microsoft's products yet they did not survive competing with Microsoft and its illegal behavior.

This oppressive power does not just apply to software. For example, by simply deciding not to produce the program Microsoft Office for the Macintosh operating system, Microsoft would most likely cause Apple Computer, Inc., to declare bankruptcy. In fact it was brought out in the trial that Microsoft did indeed threaten to stop development of the program. How can competition be served when a company has that power? How many other companies are threatened in the same manner? I also wonder how many companies are reluctant to speak out for fear of reprisal?

I think of it this way: computers need an operating system to run and software to perform specific functions. This is why, in fact, the proposal to split Microsoft into two companies was so logical. One Microsoft company would produce an operating system and the other Microsoft company would produce software to run on that system. Microsoft would have to compete with other software companies. Their products would have to be more than just good enough.

As it stands now, and this settlement does nothing to prevent this, Microsoft does not have to compete with other application companies. All it has to do is make any application part of the operating system and the other software companies can do nothing. How can a company compete with that situation and why is it so hard for the DOJ to understand that this is so damaging to the software industry?

It is sad that the settlement the DOJ has reached with Microsoft appears

to have been influenced so much by politics and haste. It would be difficult to prove the extensive harm Microsoft has caused the computer industry but it would be very rewarding to think of all the wonderful programs and innovation we could have had. It is depressing to think Microsoft is once again going to just take up where it was before all this court business.

I do not think this settlement is going to have much impact on Microsoft and I would predict that the government and Microsoft will probably be back in court within the next five years.

Thank you for this opportunity to express my opinion.

Sincerely,

Richard K. Cooley

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